

Notice of Allowability

Application No.

09/651,236

Examiner

Jehanne Souaya Sitton

Applicant(s)

XU ET AL.

Art Unit

1634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed 12/19/2003.
2. ☒ The allowed claim(s) is/are 64-66 and 72.
3. ☒ The drawings filed on 23 September 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record (specification) appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Specification on page 1, under the heading "Cross Reference to Related Applications" please delete the entire paragraph and substitute the following:

--This application is a CIP of U.S. Patent Application No. 09/636,215, filed August 9, 2000, now US Patent 6,620,922; which is a CIP of U.S. Patent Application No. 09/605,783, filed June 27, 2000; which is a CIP of U.S. Patent Application No. 09/593,793, filed June 13, 2000; which is a CIP of U.S. Patent Application No. 09/570,737, filed May 12, 2000; which is a CIP of U.S. Patent Application No. 09/568,100, filed May 9, 2000; which is a CIP of U.S. Patent Application No. 09/536,857, filed March 27, 2000, now abandoned; which is a CIP of U.S. Patent Application No. 09/483,672, filed January 14, 2000; which is a CIP of U.S. Patent Application No. 09/443,686, filed November 18, 1999, now abandoned; which is a CIP of U.S. Patent Application No. 09/439,313, filed November 12, 1999, now US Patent 6,329,505; which is a CIP of U.S. Patent Application No. 09/352,616, filed July 13, 1999, now US Patent 6,395,278; which is a CIP of U.S. Patent Application No. 09/288,946, filed April 9, 1999, now abandoned; which is a CIP of U.S. Patent Application No. 09/232,149, filed January 15, 1999, now US Patent 6,465,611; which is a CIP of U.S. Patent Application No. 09/159,812, filed

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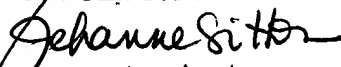
September 23, 1998, now US Patent 6,613,872; which is a CIP of U.S. Patent Application No. 09/115,453, filed July 14, 1998, now US Patent 6,657,056; which is a CIP of U.S. Patent Application No. 09/030,607, filed February 25, 1998, now US Patent 6,262,245; which is a CIP of U.S. Patent Application No. 09/020,956, filed February 9, 1998, now US Patent 6,261,562; which is a CIP of U.S. Patent Application No. 08/904,804, filed August 1, 1997 now abandoned.--

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Jehanne Sitton whose telephone number is (571) 272-0572. The examiner can normally be reached Monday-Thursday from 8:00 AM to 5:00 PM and on alternate Fridays.

Note: The examiner's name has changed from Jehanne Souaya to Jehanne Sitton. All future correspondence to the examiner should reflect the change in name.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jones, can be reached on (571) 272-0745. The fax phone number for this Group is (703) 872-9306.

Jehanne (Souaya) Sitton
Primary Examiner
Art Unit 1634


2/13/04